

MASSACHUSETTS WORKERS' COMPENSATION ADVISORY COUNCIL

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APPENDIX A

ADVISORY COUNCIL MEMBERS - FY'02		
LABOR		BUSINESS
WILLIAM H. CARNES, (CHAIR) Teamsters Union, Local 25 544 Main Street Boston, MA 02129-1113 Tel: (617) 241-8831 FAX: (617) 242-4284 ROBERT BANKS J.A.C. Iron Workers, Local 7 195 Old Colony Avenue South Boston, MA 02127 Tel: (617) 268-0707 FAX: (617) 268-0998 FRANK FANNING SEIU-AFL/CIO Local 254 11 Beacon Street Boston, MA 02108 Tel: (617) 523-6150 FAX: (617) 367-7372 JOHN J. PERRY Teamsters, Local 82 330 Dorchester Street South Boston, MA 02127 Tel: (617) 269-6868 FAX: (617) 269-6914 STEPHEN F. SAMPSON Business Manager, Int'l Union of Elevator Constructors Local 4, AFL/CIO, 424 Cambridge Street Allston, MA 02134 Tel: (617-783-3687) FAX: (617) 783-9331		EDMUND C. CORCORAN, JR., (VICE CHAIR) Raytheon, Manager, Workers' Compensation Programs 141 Spring Street Lexington, MA 02421-7899 Tel: (781) 860-1724 FAX: (781) 860-1738 JEANNE-MARIE BOYLAN Boston Sand and Gravel Company 169 Portland Street Boston, MA 02114-1712 Tel: (617) 227-9000 FAX: (617) 523-7947 ANTONIO FRIAS S & F Concrete Contractors, Inc. 1266 Central Street, P.O. Box 427 Hudson, MA 01749 Tel: (978) 562-3495 FAX: (978) 562-9461 TOM JONES Associated Industries of Massachusetts 222 Berkeley Street, P.O. Box 763 Boston, MA 02117-0763 Tel: (617) 262-1180 FAX: (617) 536-6785 JOSEPH TAMULIS T Equipment Corp 2074 Main Street Brockton, MA 02301 Tel: (508) 583-7199 FAX: (508) 583-7198
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ALAN S. PIERCE Alan S. Pierce & Associates 27 Congress Street Salem, MA 01970 Tel: (978) 745-0914 FAX: (978) 745-1046	J. BRUCE COCHRANE Cochrane and Porter 981 Worcester St. Wellesley, MA 02482 Tel: (781) 431-9800 FAX: (781) 431-0222	CAROL FALCONE Falcone Associates 43 Witham Street, Suite 2 Gloucester, MA 01930 Tel: (978) 281-4275 FAX: (978) 281-4275
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DENISE A. LUCCIOLA, M.P.H., Executive Director ANDREW S. BURTON, Research Analyst ANN M. HELGRAN, Paralegal		

APPENDIX B

Agenda - Fiscal Year 2002

July 11, 2001

DIA Update

Fiscal Year 2002 Assessment Rates – Ann Conway

Lawrence in September

Action Items

Minutes – June, 2001

Executive Director Update

Miscellaneous

August 8, 2001

DIA Update

Oracle: Calendar Presentation

Reminder: September Meeting in Lawrence at 10:00 a.m.

Action Items

Minutes – July, 2001

Executive Director Update

Miscellaneous

September 12, 2001

DIA Update

Vocational Rehabilitation Update – Carol Falcone

Action Items

Minutes – August, 2001

Executive Director Update

Miscellaneous

October 10, 2001

DIA Update

Vocation Rehabilitation Update

Action Items

Minutes – September, 2001

Executive Director Update

Miscellaneous

Recognition of Council Member Joseph A. Tamulis

November 14, 2001

DIA Update
Budget Subcommittee Update
Concerns and Recommendation Section Review
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 Minutes – October, 2001
Executive Director Update
Miscellaneous

December 12, 2001

DIA Update
Action Items
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Executive Director Update
Miscellaneous

January 9, 2002

DIA Update
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Miscellaneous

February 13, 2002

DIA Update
Guest Speaker: Dr. Michael J. Follick
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March 13, 2002

DIA Update
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Miscellaneous

April 10, 2002

DIA Update
Oracle Presentation
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Executive Director Update
Miscellaneous

May 8, 2002

DIA Update

Action Items

Minutes – April, 2002

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Judicial Appointments – Executive Session

June 12, 2002

DIA Update

Introduction - Catherine Farnam

Safety Grants

Senate Bill 2358

Action Items

Minutes - May 8, 2002

Executive Director Update

Miscellaneous

APPENDIX C

Workers' Compensation Legislation Before the Joint Committee on Commerce & Labor

2001-2002 Legislative Session

HOUSE BILLS:

**H.30 - Office of
Consumer
Affairs and
Business
Regulation**
[NEW]

**EQUITY IN ASSESSMENTS ON INSURERS (c.26 §8E and c.152
§53A, §63)**

Until January 1, 2000, every writer of workers' compensation insurance in Massachusetts was a member of the Workers' Compensation Rating and Inspection Bureau ("WCRB") of Massachusetts, a voluntary trade organization designated by the Commissioner of Insurance as her Assigned Risk Pool Administrator and Statistical Agent for workers' compensation insurance. This bill provides that assessments for both the workers' compensation unit within the DOI and the fraud protection unit within the Attorney General's office be distributed among all insurers designed to remedy several serious problems that arise if not all workers' compensation insurers retain WCRB membership.

**H.230 - Flavin
and Mariano**
[REFILE]

**DEFINITION OF EMPLOYER - EXEMPTION OF SOLE
PROPRIETORS & PARTNERSHIPS (§1)**

This refiled bill (formerly H.192) would amend the definition of an employee and give a sole-proprietor or a partnership the option of being considered an employee, thereby making workers' compensation coverage elective.

**H.398 -
Rodrigues,
Lepper, Travis,
George, and
Cresta**
[REFILE]

EXEMPTION OF CORPORATE OFFICERS (§1)

This refiled bill (formerly H.753), would make the requirement of obtaining workers' compensation insurance elective for corporate officers (or the director of a corporation) who own 25% of the issued and outstanding stock of that corporation. Said corporate officer must provide the Commissioner of the DIA with a written waiver of his rights under this chapter. The Commissioner of the DIA is required to promulgate regulations to carry out this process.

**H.465 -
Kaufman,
Havern, and
Fargo**
[REFILE]

EMPLOYEE LEASING COMPANIES – EXCLUSIVE REMEDY (§15)

This refiled bill (previously H.1138) would amend §15 by barring an action at law for damages for personal injuries or wrongful death by an employee towards an employee leasing company and its client company, if each are in compliance with the requirements of Chapter 152. Currently, §15 only provides protection to "the insured person employing such employee and liable for payment of the compensation provided by this chapter for the employee's personal injury or wrongful death and said insured person's employees."

H.772 - Lepper
[REFILE]

DEFINITION OF EMPLOYEE (§1(4)) - EXEMPTION OF CORPORATE OFFICERS

This refiled bill (previously H.3617) would amend the definition of employee by making workers' compensation coverage elective for corporate officers regardless of their duties. This proposal would especially effect small, family-run businesses where the owners typically are the only workers.

H.777 - Walsh,
AFL-CIO
[NEW]

COMPREHENSIVE BILL

This new comprehensive bill would affect Chapter 152, sections 1(7A), 13, 14, 30, 34, 35, 36, and 46A.

Section 1 would amend subsection 7A by allowing administrative judges to consider the employee's pre-injury employment when determining predominant cause of disability.

Section 2 would amend Section 13 setting the medical payment rate at no less than 80% of the usual and customary fee for any such health care service.

Section 3 would clarify Section 14(1) providing penalties against an insurer who refuses to pay medical benefits without reasonable grounds.

Section 4 would amend Section 30 allowing an emergency conference before an administrative judge to determine if an injured worker is entitled to medical treatment.

Sections 5 and 6 would amend Section 30 by limiting utilization review to 5 of "the most common industrial injury or illnesses." This change would limit the utilization review process to the most frequent care given to injured workers. Failure for an insurance company to comply with utilization review time guidelines would result in said treatments to "be deemed approved."

Section 7 would increase wage benefits for injured workers under §34 by restoring the amount to 2/3 of average weekly wage.

Section 8 would amend Section 35 by adding certain, select circumstances under which an administrative judge may extend the number of weeks under §35 (partial disability) benefits. These conditions are that the injured worker has returned to employment, with or without an Individual Written Rehabilitation Plan, has been found unsuitable for vocational rehabilitation, or has a permanent partial incapacity.

Section 9 would eliminate the requirement that scar-based disfigurement appear on the face, neck or hands to be compensable. This would require compensation for all disfigurement, whether or not scar-based, regardless of its location on the body. Section 36(k) was amended by chapter 398 to limit payments for purely scar-based disfigurement by requiring benefits only when the disfigurement is on the face, neck, or hands.

Section 10 would amend Section 46A by requiring an injured workers general health insurance carrier (if they have one) to cover all medical expenses of the injured worker until the workers' compensation insurer is ordered to pay a disputed claim. Currently there is no language requiring a health insurance provider to cover these costs.

**H.1161 –
Rodrigues
[NEW]**

**CLARIFICATION OF ASSESSMENTS LEVIED AGAINST THE
WORKERS' COMPENSATION RATING & INSPECTION BUREAU
c. 26 (§8E), c.399 (§3), c.338 (§13C), AND c.152, (§63)**

**NOTE:
This legislation
is before the
Joint Comm.
on Insurance.**

This new bill attempts to clarify assessment levied against the WCRIBM and insurance companies who are not a member of the WCRIBM. Currently there is no requirement that every company licensed to write workers' compensation insurance in Massachusetts be a member of the Workers' Compensation Rating & Inspection Bureau (WCRIBM). If an insurance company were to choose not to be a member of the WCRIBM it could become very problematic as they would no longer contribute to the operating budget of the WCRIBM. As a result, they would not be participating in the cost-sharing of these statutory assessments levied against the WCRIBM to fund the State Rating Bureau (SRB), Insurance Fraud Bureau (IFB), and the Attorney General's anti-fraud efforts (yet they would reap the benefits of these services). Currently the statute only mentions the assessments for these items be levied against the WCRIBM and do not address the requirement of a non-member carrier paying its share of the costs of these assessments. H.1161 attempts to remedy this problem by requiring assessments to be levied against the WCRIBM and "against any company authorized to write workers' compensation insurance that is not a member of any rating organization." The job of apportioning the assessments is left to the Commissioner of Insurance.

**H.1341 -
Loscocco,
Havern, Murphy,
and Marini
[SIMILAR]**

**CONSTRUCTION SAFETY COURSES FOR EMPLOYEES FOR
THE CONTROL OF WORKERS' COMPENSATION COSTS (§53A)**

This bill is similar to H.3030, which was signed into law last legislative session (1/4/01). H.1341 will amend Section 53A by making insurance discounts available to construction companies who have all employees certified as having "successfully completed the U.S. Department of Labor's 10-hour Occupational Safety and Health Training Course in Construction Safety and Health." H.3030 (previously signed into law) only required at a minimum, one employee to be certified.

**H.1538 - Rogers
and Lydon
[NEW]**

**ABOLISH THE DEPARTMENT OF INDUSTRIAL ACCIDENTS
REVIEWING BOARD - CHAPTER 152**

This new bill would abolish the Reviewing Board at the DIA. The Reviewing Board's duties would be assumed by the Division of Administrative Law Appeals. The words "Hearing Officer" would replace the words "Administrative Judge" and "Administrative Law Judge" anywhere in the Workers' Compensation Act.

H.2104 - Hahn
[NEW]

EXEMPTION OF CERTAIN DIRECTORS, OFFICERS, AND TRUSTEES OF NON-PROFIT ENTITIES (§1)

This new bill would amend §1(5) by exempting from the Workers' Compensation Act, "any director, officer or trustee of a nonprofit entity, as defined by the Internal Revenue Service Code, who receives no compensation except reimbursement for out of pocket expenses."

H.2114 - Larkin
[SIMILAR]

STAGGERING TERMS OF INDUSTRIAL ACCIDENT BOARD AND REVIEWING BOARD JUDGES (c. 23E)

This bill is similar to H.577 filed last legislative session.

Section 1 of this bill would require the staggering of administrative judge appointments beginning in 2001. The intent is to avoid future problems of multiple terms expiring in one year. Terms would be staggered as follows:

2001 - one administrative judges would be appointed to a six-year term.

2002 - one administrative judges would be appointed to a six-year term.

2003 - two administrative judge would be appointed to six-year terms.

2004 - four administrative judge would be appointed to six-year terms.

- two administrative judges would be appointed to five-year terms.

- three administrative judges would be appointed to four-year terms.

2005 - two administrative judges would be appointed to six-year terms.

2006 - four administrative judges would be appointed to six-year terms.

- two administrative judges would be appointed to five-year terms.

Thereafter - administrative judges would be appointed to six-year terms.

Section 2 of this bill would amend M.G.L. c.23E, §4 by increasing the number of permanent administrative judges' positions at the DIA from 21-25. Currently, the DIA has 24 administrative judges (21 permanent and 3 recall judges). Under the bill, the number of administrative judges from any one political party could not exceed 13, up from the current 11.

Section 3 of this bill would amend Chapter 23E, §5 by staggering administrative law judge appointments. Terms would run as follows beginning in 2004:

two members or successors would be appointed to six-year terms.

two members or successors would be appointed to five-year terms.

two members or successors would be appointed to four-year terms.

Thereafter, a member/successor would be appointed or re-appointed to a six-year term.

Section 4 of this bill would establish a performance review system by the Senior Judge of the DIA during the initial term of a newly appointed Administrative Judge, as established by §4 of Chapter 23E, who has never previously served on the Industrial Accident Board.

H.2115 - Larkin
[REFILE]

INSURANCE RATES - LOSS COST - COMPETITION (§53A)

This refiled bill (amended version of H.579) would create a system of competitive rating of workers' compensation insurance rates. Like the current law, insurers would submit all their loss data to the designated rating organization and would adhere to the uniform classification system. The

rating organization would develop a "loss cost" for each classification (e.g. roofers, clerical workers).

- "loss costs" are the historical aggregate data and loss adjustment expenses, developed and trended for each classification;
- the "loss cost" is expressed as a dollar amount per \$100 of Payroll;
- Example: The loss cost for a "roofer" might be \$6.00 and for a "clerical worker" \$.90.

Each carrier would develop its own "loss cost multiplier (LCM)." This factor takes into account the carriers expenses other than LAE, such as overhead, acquisition, marketing, profit, etc. LCM's will be multiplied by the loss cost to get the rate per \$100 or payroll.

$RATE = LOSS\ COST \times LCM$

- Example: If the loss cost for a roofer is \$6 and the carrier's LCM for roofers is 1.4 then the rate will be $\$6 \times 1.4$ or \$8.40 per \$100 of payroll. If the loss cost for a clerical worker was \$.90 and the LCM for clerical workers was .90, the rate will be $\$.90 \times .90$ or \$.81 per \$100 of payroll.

This new system if passed into law would apply to all new or renewed workers' compensation policies to be effective on or after January 1, 2002.

H.2282 -
Mariano
[NEW]

WORKERS' COMPENSATION RATES (c.188G), PROVIDER COMPLAINTS TO HCSB (c.152, §13), MEDICAL REPORT FEES (c.152, §30A), DIA REVIEW OF INSURER CLAIMS PROCEDURES AND DISCIPLINARY MEASURES (c.152, §13)

This new bill is exactly the same as S.101 also file this legislative session.

Section 1 of this bill would amend c.118G mandating that workers' compensation rates set by the Division of Health Care Finance & Policy be comparable to rates paid by commercial carriers. In addition, rates would be established that fully cover administrative costs associated with services to patients covered under c.152. when these costs exceed those covered under commercial health insurance policies.

Section 2 of this bill would amend c.152, §13 and require that the Health Care Services Board hear complaints by physicians regarding insurers and report the findings to the Division of Insurance.

Section 3 and 4 of this bill would amend c.152, §30A and require an insurer to pay the fee for medical reports within 14 days upon receipt. The insurer would also be subject to the same civil fines for failing to pay for reports as physicians are subject to for failing to make reports.

Section 5 of this bill would amend c.152, §13 would require the Department of Industrial Accidents to review the claims procedures of workers' compensation insurers including "duplicative and excessive documentation of services requests, standards for utilization review, use of non-physician reviewers, and the prompt payment of claims." The DIA would also be required to review the disposition of all complaints against insurers brought before the Health Care Services Board.

Section 6 of this bill would amend c.152, §13 by allowing the Commissioner of the Department of Industrial Accidents to discipline and insurer if it is determined that the insurer has violated any part of Chapter 152 or rule adopted under this chapter.

H.2284 - McGee
[REFILE]

COMPREHENSIVE BILL

This refiled bill (previously H.2854) bill seeks to amend many aspects of Chapter 152.

Section 1 of this bill would amend the definition of "Average Weekly Wage" by specifying that if an injured employee is employed to more than one *employer*, the total earnings from the several *employers* should be considered in determining average weekly wage. Currently the law is more specific in stating that if the injured employee is employed to more than *one insured employer or self-insurer* rather than "employer" as proposed by this legislation. Section 1 of this bill also states that weeks in which an employee received less than *four hours* in wages is considered lost time for determining average weekly wage. Currently, the law considers lost time as weeks when an employee receives *less than five dollars in wages*.

Section 2 of this bill would amend §1(7A) regarding the definition of "Personal Injury" in dealing with mental or emotional disabilities. Currently, "Personal Injuries" include mental or emotional disabilities only where the *predominant contributing cause* of such disability is an event or series of events occurring within any employment. This bill would replace "the predominant contributing cause" with "a significant contributing cause."

Section 3 of this bill would substantially increase the fines for employers who violate the provisions of §6 with regards to the reporting of the notice of injury to the DIA, the employee, or insurer. Currently if an employer violates this provision three or more times they are required to pay a fine of \$100 for each violation. This bill would eliminate the necessity that a violation occurs three or more times before a penalty is issued. Fines would be issued as follows:

- \$100 for first violation;
- Subsequent violations within a year are increased \$100 for each subsequent violation;
- If employer fails to make notice to the DIA, employee, and insurer, it must pay additional penalty to the DIA of \$1,000 into the Special Fund and \$1,000 to the employee;
- If employer fails to make notice to the DIA, employee, and insurer, within 90 days, an additional penalty of \$10,000 will be assessed.

Section 4 would amend §7(2) by increasing the penalty placed on insurers who fail to begin payment of weekly benefits or notify parties of refusal to pay benefits within 14 days of receipt of the employer's First Report of Injury. This bill would require the insurer to pay the employee and amount of \$200 or their compensation rate (whichever is higher). If the insurer still fails to begin payments or make such notification within 60 days, they must pay a penalty of \$1,000 to both the Special Fund and to the employee.

Section 5 and 6 of this bill would amend §8 by decreasing the "pay without prejudice" period to 90 days. Currently, when an insurer pays a claim, it may do so without accepting liability for period of 180 days. This pay without prejudice period establishes a window where the insurer may refuse a claim and stop payments at its will. Up to 180 days, the insurer can unilaterally terminate or modify any claim as long as it specifies the grounds and factual basis for so doing. The purpose of the pay without prejudice period is to encourage the insurer to begin payments to the employee instead of outright denying the claim.

Section 7 of this bill would allow the pay without prejudice period to be extended upon agreement by the parties in 90-day increments not to exceed one year. Currently, pay without prejudice extensions are not required to be set at 90-day increments.

Section 8 of this bill would amend §13A(5). This section assesses an insurer a penalty of \$3,500 (plus necessary expenses) whenever an insurer files a complaint or contests a claim for benefits and then later accepts the claim or withdraws the complaint within 5 days. This section of the proposed legislation would increase the number to 10 days.

Section 9 of this bill would amend §28, paragraph 1, which address injuries caused by serious and willful misconduct of the employer. This section of the proposed legislation would further define "willful misconduct" as a "knowing and willful violation of the Federal and/or State O.S.H.A. standards." Currently, if an employee is injured by serious and willful misconduct by the employer, they will receive double compensation for their injuries.

Section 10 of this bill would amend §29 dealing with the required period of incapacitation. Current law states that no compensation pursuant to §34 and §35 shall be paid for any injury which does not incapacitate the employee from earning full wages for a period of 5 or more calendar days. If incapacity extends for a period of 21 days or more, compensation is paid from the date of the onset of the incapacity. This bill would decrease this 21-day period to *5 days or more*.

Section 11 of this bill would amend §30, which requires the insurer to furnish medical and hospital services, and medicines if needed. Except for the first appointment, the injured worker may select a treating physician and may switch to another such professional *once*. This bill would allow the injured worker the option of switching physicians *twice*.

Section 12 would amend §31 covering death benefits for dependants. Current law provides the widow or widower, that remains unmarried, 2/3 of the average weekly wage (AWW), but not more than the state's AWW or less than \$110 per week. They shall also receive \$6 per week for each child (this is not to exceed \$150 in additional compensation) of the deceased employee. This bill would increase the minimum amount a widower is entitled, to \$200 per week and \$12 more a week for each child of the

deceased employee.

Section 13 would amend §33 regarding burial expenses for deceased employees. Currently, the insurer is required to pay reasonable expenses of burial, not exceeding \$4,000. This bill would increase the amount the insurer is required to pay for burial expenses to not exceed \$6,000.

Section 14 would increase the weekly compensation for total incapacity (§34) benefits. Compensation would increase from the current 60% to 2/3 of average weekly wage. Durations would increase from the current 156 weeks to 208 weeks.

Section 15 would amend §34A pertaining to permanent and total incapacity. When the incapacity for work resulting from the injury is both permanent and total, an insurer is required to pay an injured employee a weekly compensation equal to 2/3 of their average weekly wage before injury, but not more than the maximum weekly compensation rate nor less than the minimum compensation rate. Current law requires that this payment be made "following payment of compensation in §34 and §35." This section of H.2854 would delete this requirement.

Sections 16 and 17 would amend §34B pertaining to supplemental benefits for §31 or §34A. This bill would expand supplemental benefits to include both §34 and §35.

Section 18 would amend §35 pertaining to partial incapacity benefits, by raising the wage benefits for injured workers 2/3 AWW of the difference between their AWW before the injury and the weekly wage they are capable of earning after the injury, *but not more than the maximum weekly compensation rate*. Currently for §35, compensation is 60% of the difference between the employee's AWW before the injury and the weekly wage earning capacity after the injury. This amount cannot exceed 75% of temporary benefits under §34 if they were to receive those benefits.

Section 19 would amend the durations allowed for §35 benefits. Currently, the maximum benefit period for partial disability is 260 weeks, but may be extended to 520 weeks. This bill would increase the maximum benefit period to 442 weeks and could be extended to "the discretion of an administrative judge."

Section 20 would amend §35A, which provides additional compensation to injured workers who have dependents. Currently, §35A provides additional compensation of \$6 per/week to injured workers who have persons dependent upon them for injuries occurring under §34, §34A, and §35. No weekly payments under this section can be greater than \$150 per week when combined with the compensation due under §34, §34A, and §35. This section of H.2854 would provide injured workers additional compensation of \$12 per/week to injured workers who had persons dependent upon them. This bill would also cap weekly payments at \$250 when combined with the compensation due under §34, §34A, and §35.

Section 21 of this bill would amend §35D(5) and require that implementation of this section be subject to §8. Employment would be defined as a job that the employee is physically and mentally capable of performing, as long as it relates to the employee's work experience, education, or training either before or after the injury.

Section 22 of this bill would amend §35E. It would require that any person receiving old age benefits pursuant to federal social security law or receiving pension benefits paid by an employer should not be entitled to benefits under §35. This is unless the employee can establish that they would have remained active in the labor market.

Section 23 of this bill would amend §36(k). It would require that for bodily disfigurement, compensation will not exceed \$20,000 and will be payable in addition to other sums outlined in this legislation.

Section 24 of this bill would amend §50. Payments required by order that are not made within 60 days of being claimed by employee, dependent or other party would accrue interest at a rate of 12% per year. If sums include weekly payments, then interest will accrue on each unpaid weekly payment.

**H.2472 -
Sullivan
[SIMILAR]**

**TOTAL INCAPACITY (§34), PARTIAL INCAPACITY (§35) -
INCREASE BENEFITS, AND RESTORATION OF SCARRING
BENEFITS (§36)**

This new bill (similar to sections in both H.1319 and H.3029 filed last legislative session) would increase wage benefits for injured workers under §34 and §35 by restoring the amount to 2/3 of average weekly wage and would extend the duration to 260 weeks for §34 (currently 156) and 600 weeks for §35 (currently 260 or 520 for serious injuries).

Section 3 of this bill would eliminate the requirement that scar-based disfigurement appear on the face, neck or hands to be compensable. This would require compensation for all disfigurement, whether or not scar-based, regardless of its location on the body. Section 36(k) was amended by chapter 398 to limit payments for purely scar-based disfigurement by requiring benefits only when the disfigurement is on the face, neck, or hands. Payments made would not exceed the average weekly wage in the Commonwealth at the date of injury multiplied by 32.

**H.2648 - Cabral,
Travis, Swan,
and Verga
[REFILE]**

**REMOVAL OF AJ'S & ALJ'S (c. 2E §8) – CODE OF
JUDICIAL CONDUCT**

This refiled bill (previously H.3027) would require the Senior Judge, the AJ's and the ALJ's to be subject to the Code of Judicial Conduct as promulgated by the SJC. The Council has supported this bill in the past. [Note: The American Bar Association has written and endorsed A Model Code of Judicial Conduct for State Administrative Law Judges. This code is based on the ethical code applicable to court judges but accounts for differences in responsibilities and powers of state administrative law judges as opposed to judges presiding in a court of law.]

H.2649 -
Cabral, Travis,
Koczera, and
Swan
[REFILE]

BENEFITS FOR SPECIFIC INJURIES (§36) - SCAR-BASED DISFIGUREMENT

This refiled bill (previously H.3029) would eliminate the requirement that scar-based disfigurement appear on the face, neck or hands to be compensable. This would require compensation for all disfigurement, whether or not scar-based, regardless of its location on the body. Section 36(k) was amended by chapter 398 to limit payments for purely scar-based disfigurement by requiring benefits only when the disfigurement is on the face, neck, or hands.

H.2650 - Cabral,
and Swan
[REFILE]

LUMP SUM SETTLEMENTS (§48) - APPROVAL

This refiled bill (previously H.3028) would remove the necessity that an employer that is an experienced modified insured approve a lump sum settlement.

H.2854 - Marini
[NEW]

WILLFUL MISCONDUCT (§27) - INTOXICATION, UNLAWFUL USE OF A CONTROLLED SUBSTANCE

This new bill would amend §27 by barring workers' compensation benefits to employees who are injured while intoxicated or while using an illegal controlled substance as defined in §1 of Chapter 94C. Currently §27 only bars workers' compensation benefits to employees injured as a result of "serious and willful misconduct."

H.3246 - Larkin
[REFILE]

LUMP SUM SETTLEMENTS (§48) - LIMITS ON AGREEMENTS

This refiled bill (previously H.1888) would limit when a lump sum agreement can discharge an employee's right to payment of future benefits. No lump sum agreement should be entered into or approved unless:

1. the employee has returned to work for at least 6 months, earning at least 75% of his/her pre-injury wage;
2. survivor benefits are claimed under §31;
3. the employee is determined by the AJ to be permanently and totally disabled;
4. or the employee becomes a domiciliary of another state.

H.3251 -
Owens-Hicks
and Swan
[REFILE]

IMPARTIAL PHYSICIANS (§11A) - APPOINTMENT

Section 1 of this refiled bill (previously H.2855) would amend §11A by not allowing an impartial physician to be appointed when the report of both the treating physician and the insurer's physician agree with respect to "diagnosis and etiology." (Etiology is the branch of medicine that deals with the causes of disease.)

Section 2 would limit the number of times an impartial medical examiner can be appointed to 5 times in any one month. It would further require that an insurer could not recommend the same examiner for more than a "majority of cases."

Section 3 would make any impartial medical examiner subject to the penalties provided in c.152 §14(3) (anti-fraud provisions) if they knowingly produced a false or inaccurate report to benefit the insurer.

H.3674 -
Walrath
[SIMILAR]

EXEMPTION OF NONPROFIT ENTITIES (§1)

This bill (Similar to H.2291 filed last legislative session) would amend the word "employer" as not including: "nonprofit entities, as defined by the Internal Revenue Code, that are staffed by volunteers, board members, directors, and paid employees." This would make the requirement of obtaining workers' compensation insurance elective for said employers.

H.4348 -
Commerce &
Labor
[LATE-FILE]

EXEMPTION OF CORPORATE OFFICERS (§1), DEFINITION OF EMPLOYER - EXEMPTION OF SOLE PROPRIETORS & PARTNERSHIPS (§1)

This late-file bill (new draft for H.230, H.398, H.772, and H.2104), would make the requirement of obtaining workers' compensation insurance elective for corporate officers (or the director of a corporation) who own 25% of the issued and outstanding stock of that corporation. Said corporate officer must provide the Commissioner of the DIA with a written waiver of his rights under this chapter. The Commissioner of the DIA is required to promulgate regulations to carry out this process.

This bill would also amend the definition of an employee and give a sole-proprietor or a partnership the option of being considered an employee, thereby making workers' compensation coverage elective.

SENATE BILLS:

S.42 Creedon
[SIMILAR]

COMPREHENSIVE BILL

This bill is similar to S.31 filed during the 1999 – 2000 session.

1. Definitions (§1(1)) - Average Weekly Wage

Section 1 would amend the definition of average weekly wage by requiring that the average weekly wage for §35 claimants, who have returned to work and suffered re-injury, must be calculated using the wage the claimant was earning at the time of the original injury.

2. Conciliation (§10(6)) - Last Best Offer

Section 2 would repeal §10(6) which requires that each party submit written offers stating the amount of benefits believed to be owed in cases involving a request for additional compensation, or to modify/discontinue benefits.

3. Procedure (§7A) – Employee Unable

Section 3 would amend §7A and state that when an employee is killed or becomes mentally unable to testify as the result of a workplace injury, a presumption is created that the claim complies with all procedural requirements, and the injury was not the result of a willful. Section 4 of the bill would require that the incapacity to testify be determined to be “the result of the injury” rather than “causally related” as it currently reads.

4. Conference (10B) - Last Best Offer

Section 4 would amend §19A(2(b)) by repealing the requirement that the administrative judge, at conference, implement one of the offers rendered at conciliation. It would require that the insurer submit an offer two days

before the conference to the claimant. Unless the offer is accepted, the insurer would not be required to pay a referral fee under §13A.

5. Attorney's Fees (§13A) – Last Best Offer

Section 5 would amend §13A dealing with attorney's fees. This bill would remove all reference to the last best offer submissions.

6. Fraudulent Conduct (§14(3)) - Duty to Reveal Knowledge of Fraud

Section 6 would amend §14(3) dealing with fraudulent actions by stating that a person who knowingly makes a false or misleading statement or conceals knowledge of any event affecting the payment of benefits will be punished by five years imprisonment, *if they were required by law to reveal the matter*. Presumably, this is to ensure the protection of privileged information (e.g., information protected by the attorney-client privilege).

7. Total Incapacity (§34) – Percent Allowed for Total Injury

Section 7 of this bill would amend §34 and require the insurer to pay the injured employee 60% of his average weekly wage (AWW) before the injury, but not more or less than the maximum or minimum weekly compensation rate, if the injury is considered total. If the AWW is found to be less than the minimum weekly compensation rate, it would then be increased to equal the AWW.

8. Benefits (§35) - Maximum Amount

Section 8 would amend §35 by eliminating the requirement that partial disability benefits not exceed 75% of §34 benefits.

9. Benefits (§35B) - Subsequent Injury

Section 9 would amend §35B to require that an injured employee who returns to work for at least 2 months and suffers another injury, will receive benefits at the rate currently in place, whether or not the new injury is a recurrence of the former injury. Section 3 allows the employee to opt out of this section if it would subject him/her to a lower rate of compensation.

10. Benefits (§35) - Extension of Benefits

Section 10 (new section) would allow the extension of §35 benefits from 260 to 520 weeks if a judge finds or an insurer agrees that the injured worker is "incapable of earning at least ninety percent of the average weekly wage before the injury after having been deemed unsuitable for vocational rehabilitation services by the Office of Education and Vocational Rehabilitation under section 30G or, having been deemed suitable for vocational rehabilitation services by said office completed an appropriate rehabilitation program pursuant to section 30G."

**S.56- Lees, Tarr,
Knapik, and
Tisei**
[REFILE]

DEFINITION OF EMPLOYEE (§1(4)) – ELECTIVE COVERAGE OF CORPORATE OFFICERS

This bill is exactly the same as S.53 filed last legislative session.

It would make coverage of corporate officers and employees who are immediate family members, who are also sole executive officers, elective.

**S.57 - Lees, Tarr,
Tisei,, Knapik,
and Sprague**
[REFILE]

**EMPLOYER FINES REDUCTION (§25C) - PREFERENTIAL
HIRING (§75A) - EMPLOYEE DEFINITION (§1(4)) - ELECTIVE
COVERAGE OF CORPORATE OFFICERS**

This bill is a refile of S.51 amending §25C(2) regarding fines for failing to secure workers' compensation insurance. It would add provisions allowing the DIA Commissioner to reduce employer fines to an amount no lower than \$250 following a hearing in which there is a finding that:

- (a) the fine would have a severe negative impact on the cash flow or financial stability of the business;
- (b) weekends and holidays interrupted the employer's ability to secure coverage in a more timely fashion;
- (c) the business was unable to secure voluntary coverage, thus delaying their application to the Massachusetts Workers' Compensation Assigned Risk Pool for coverage; or
- (d) the amount of annual premium for worker's compensation coverage is less than the amount of fines imposed by the DIA under the stop work order.

Section 2 of the bill, would amend §75A, which requires employers to give preference in hiring to injured employees applying for re-employment. This bill would relieve the rehiring requirement if the injured employee has been employed by another employer for more than six months since the date of injury.

Section 3 of the bill would amend §1(4). It would make the coverage of corporate officers elective.

**S.65 - Lynch,
O'Flaherty, and
Donovan**
[REFILE]

EMPLOYER FINES (§25C) - INCREASE

This bill is a refile of S.67 filed during the 1999 – 2000 session.

Section 1 increases civil penalty to three times the premium the violating employer would have paid in the assigned risk pool for the entire period it operated without insurance. If the period is seven days or less, the fine imposed would total \$250 for each day the employer lacked insurance.

Section 2 deletes provisions, which require a higher fine for employers who appeal a stop work order, and are found to lack insurance after a hearing.

Section 3 increases the criminal fines for failure to carry insurance to \$5,000 for a first offense and \$10,000 for a second offense. Stipulates that no finding of criminal intent is necessary to prove a violation. It also requires that fines be ordered in addition to restitution to be paid to the DIA Trust Fund.

Section 4 enables a civil cause of action for loss of a competitive bid to be brought as an unfair or deceptive business practice under c.93A. It also allows for treble damages rather than the current \$15,000 maximum award.

Section 5 amends §65 to require that stop work order fines be deposited in the private employer trust.

Section 6 creates a 90-day amnesty program for violating employers to

obtain insurance. Requires the Commissioner of the DIA, the Commissioner of Insurance, the Insurance Fraud Bureau and the Massachusetts Workers' Compensation Rating and Inspection Bureau to implement a promotional campaign to advise employers about the amnesty period, the workers' compensation insurance requirement, and the penalties. It would also encourage the general public to report suspected violators.

**S.66 - Lynch,
Hart, and Walsh**
[REFILE]

**ATTORNEY'S FEES (§13A(10)) - AGREEMENTS TO PAY
BENEFITS (§19)**

This bill is a refile of S.71 filed last legislative session.

Section 1 of this bill would allow attorneys to collect fees for advancing an employee's rights under §75A (preferential hiring of injured workers) and §75B (protections against handicap discrimination), in addition to any attorney's fees owed under §13A.

Section 2 of this bill adds two new subsections to §19. It would allow any administrative judge, administrative law judge or conciliator to approve any agreement to pay benefits authorized by §19. It would also allow an agreement to include a pay without prejudice clause. (See H.654 of the last legislative session.)

Section 3 of this bill would amend §34 and require the insurer to pay the injured employee 60% of his average weekly wage (AWW) before the injury, but not more or less than the maximum or minimum weekly compensation rate, if the injury is considered total. If the AWW were found to be less than the minimum weekly compensation rate, it would then be increased to equal the AWW.

Section 4 of this bill would amend §34A and require the insurer to pay the injured employee two-thirds of his AWW before the injury, but not more or less than the maximum or minimum weekly compensation rate if the injury is considered permanent and total. If the AWW were found to be less than the minimum weekly compensation rate, it would then be increased to equal the AWW.

**S.74 - Lynch,
Hart, and
O'Flaherty**
[REFILE]

**BENEFITS FOR SPECIFIC INJURIES (§36) - SCAR-BASED
DISFIGUREMENT**

This bill is a refile of S.56 filed during the 1999 – 2000 session. It would eliminate the requirement that scar-based disfigurement appear on the face, neck or hands to be compensable. This would require compensation for all disfigurement, whether or not scar-based, regardless of its location on the body.

Section 36(k) was amended by chapter 398 to limit payments for purely scar-based disfigurement by requiring benefits only when the disfigurement is on the face, neck, or hands.

**S.77 - Lynch,
Hart, and Walsh**
[REFILE]

**DEFINITION OF AVERAGE WEEKLY WAGES (§1(1)) - RETURN
TO WORK - ATTORNEY'S FEES (§13A) - ELIMINATE
CONSIDERATION OF OFFERS AT CONCILIATION**

This bill is a refile of S.68. Section 1 of this bill addresses injured employees who return to work (without a lump sum settlement) and receive wages that are less than the pre-injury wages. This bill would apply the prior average weekly wage to any subsequent period of incapacity, whether or not such incapacity was the result of a new injury, or subsequent injury as set forth in §35B.

Section 2 of this bill would eliminate consideration of the last best offer in awarding attorney's fees when the insurer files for discontinuance of benefits or refuses initial payment. Currently, the claimants attorney is only entitled to payment if the administrative judge accepts the offer of the claimant or the amount submitted by the conciliator.

**S.78 - Lynch,
Hart, and Walsh**
[REFILE]

IMPARTIAL EXAMINATIONS (§11A) - NEW SECTION (§9C)

This bill is a refile of S.69. It would create a new section (§9C) to allow an AJ or ALJ to appoint an impartial physician to examine and report on a claimant's condition prior to a conference or hearing. [Currently, under §8(4), an impartial physician can be requested at the conference stage only at the request of the insurer after the 180-day pay without prejudice period has expired.]

This bill also replaces language for §11A on impartial exams. It would remove the c.398 requirement that an impartial exam be conducted whenever "a dispute over medical issues is the subject of a conference order." Under this bill, appointment of an impartial physician would be at the discretion of the AJ or ALJ. It also requires that the report indicate whether employment is the predominant contributing cause for mental or emotional disability.

This bill would expand the role of the impartial physician by requiring that the physician make a determination about causation, whether or not the determination can be made with a reasonable degree of medical certainty. Moreover, the causation standard would change from whether the work-related injury was the "major or predominant contributing cause" of the disability, to whether the work-related injury was "probably caused or was contributing cause" of the disability. The standard would therefore be eased.

The report from §9C must be entered into evidence at the hearing, and the current requirement that it be treated as prima facie evidence is eliminated. This means that the impartial report must not be the only medical evidence presented to the AJ, but that medical evidence from the employee's treating physician and insurer reports may be entered as well.

The deposing party would pay the fee for any deposition. However, if the decision of the AJ is in favor of the employee, the cost of the deposition would be added to the amount awarded to the employee.

**S.79 - Lynch,
Hart, and Walsh**
[REFILE]

RATE OF REIMBURSEMENT - HEALTH CARE SERVICES (§13)

This bill is a refile of S.70. Section 1 deletes the current language in §13 and replaces it with simpler language. It states that the Rate Setting Commission (now called Division of Health Care Finance & Policy) must establish the maximum reimbursement rates for hospitalization and all other health care services, and that no insurer may be held liable for any charge greater than those established rates.

The bill would eliminate the ability for insurers and medical providers to negotiate rates. It would remove the "regardless of setting" provision thereby allowing hospitals to set rates higher than non-hospital facilities. It would remove the requirement that providers sign bills with their license numbers, and the removal of the adherence to federal "safe harbor" regulations. Further, all provisions regarding treatment protocols, utilization review and the establishment of the Health Care Services' Board would be deleted.

S.83 - Lynch
[NEW]

**INVESTIGATION AND STUDY BY THE DIA ON VOCATIONAL
REHABILITATION ISSUES**

This new bill would require the Department of Industrial Accidents to investigate and study specific issues regarding vocational rehabilitation (VR). This report would have to be filed with Commerce & Labor Committee no later than July 1, 2002.

The issues to be included are:

1. expanding the purpose of VR to include preparing the injured worker for job advancements similar to those offered to non-injured workers;
2. extending the duration of the VR services offered to injured employees;
3. allowing an injured worker to select a private rehabilitation counselor from a list provided by the DIA
4. allowing injured workers to have the right to request an evaluation by the Massachusetts rehabilitation commission regarding their employability to be used by the DIA to determine the worker's earning capacity upon return to work;
5. Investigating the insurer's role, benefits paid to the worker and responsibility for costs associated with determining rehabilitation plans for state employees who are eligible for disability retirement.

S.89- Lynch
[NEW]

**DEFINITION OF EMPLOYEE (§1(4)) – ELECTIVE COVERAGE OF
CORPORATE OFFICERS**

This bill would make workers' compensation coverage elective for corporate officers or Directors of a corporation (who are the sole executive officers), who own 100% of the issued and outstanding stock, provided that the corporation does not employ any other person. Said corporate officer would be required to provide the DIA with a written affidavit stating there are no other people employed. Said corporate officer must also provide the DIA with a written waiver of rights under the workers' compensation statute and provide proof of sufficient personal medical and disability insurance coverage. Elective coverage would not apply to corporations or its employees who are engaged in any "non-sedentary work activities, including

but not limited to manufacturing, trucking or the building construction trades."

**S.94 - Magnani,
Simmons and
Tarr**

[SIMILAR]

**NEW M.G.L. CHAPTER - INSURANCE DISCOUNTS FOR DRUG
FREE WORKPLACE PROGRAMS**

This bill is a refile of S.79 filed during the last legislative session. It would require that employers who implement a drug-free workplace program receive a 5% discount on workers' compensation premium. Employers would have to comply with the standards and procedures set forth in the legislation and all applicable rules adopted by the DIA.

**S.101 - Moore,
Glodis, and
Simmons**

[NEW]

**WORKERS' COMPENSATION RATES (c.188G), PROVIDER
COMPLAINTS TO HCSB (c.152, §13), MEDICAL REPORT FEES
(c.152, §30A), DIA REVIEW OF INSURER CLAIMS PROCEDURES
AND DISCIPLINARY MEASURES (c.152, §13)**

This new bill is exactly the same as H.2282 also filed this legislative session.

Section 1 of this bill would amend c.118G mandating that workers' compensation rates set by the Division of Health Care Finance & Policy be comparable to rates paid by commercial carriers. In addition, rates would be established that fully cover administrative costs associated with services to patients covered under c.152. when these costs exceed those covered under commercial health insurance policies.

Section 2 of this bill would amend c.152, §13 and require that the Health Care Services Board hear complaints by physicians regarding insurers and report the findings to the Division of Insurance.

Section 3 and 4 of this bill would amend c.152, §30A and require an insurer to pay the fee for medical reports within 14 days upon receipt. The insurer would also be subject to the same civil fines for failing to pay for reports as physicians are subject to for failing to make reports.

Section 5 of this bill would amend c.152, §13 would require the Department of Industrial Accidents to review the claims procedures of workers' compensation insurers including "duplicative and excessive documentation of services requests, standards for utilization review, use of non-physician reviewers, and the prompt payment of claims." The DIA would also be required to review the disposition of all complaints against insurers brought before the Health Care Services Board.

Section 6 of this bill would amend c.152, §13 by allowing the Commissioner of the Department of Industrial Accidents to discipline and insurer if it is determined that the insurer has violated any part of Chapter 152 or rule adopted under this chapter.

S.120 - Tarr
[NEW]

MODIFICATION OR TERMINATION OF BENEFITS (§16)

This new bill would amend §16 by requiring insurers who wish to modify or terminate an injured workers' benefits to file a complaint seeking the same, as prescribed by Section 10 of this chapter.

S.2358 - Pacheco
[LATE-FILE]

REIMBURSEMENT RATES FOR PHYSICIAN AND HOSPITAL SERVICES (c.118G, §7), SCAR-BASED DISFIGUREMENT (§36)

Section 1 of this late-file bill would amend c.118G, §7 by adding a new paragraph requiring the Division of Health Care Finance & Policy (DHCFP) to set rates for physician and hospital services paid for under c.152 at a "usual and customary fee" for any such health care service. Current language requires the Division to set these rates, which are determined by a regulatory process that promulgates in fee schedules (114.3 CMR 40.00) and other formats that ensure a public process. Rates are currently negotiable among the insurer, employer, and the health care service provider (c.152, §13).

Section 2 of this bill would eliminate the requirement that scar-based disfigurement appear on the face, neck or hands to be compensable. S.2358 would require compensation for all disfigurement, whether or not scar-based, regardless of its location on the body. The proposed legislation further states that payments for these type of injuries could not exceed the average weekly wage in the Commonwealth (at date of injury) multiplied by 29 [\$890.94 (SAWW) x 29 = \$25,837.26 (maximum benefit)]. Current language in the statute limits payments for scar-based disfigurement to not exceed \$15,000.

APPENDIX D

Joint Committee on Commerce & Labor - FY'02

Senator Mark R. Pacheco (Chair)
State House – Room 413-B
Boston, MA 02133-1053
(617) 722-1551

Senator Dianne Wilkerson
State House – Room 312-C
Boston, MA 02133-1053
(617) 722-1673

Senator Susan C. Tucker
State House – Room 416-A
Boston, MA 02133-1053
(617) 722-1612

Rep. William G. Green, Jr. (Chair)
State House – Room 236
Boston, MA 02133-1053
(617) 722-2430

Representative Colleen M. Garry
State House – Room 473G
Boston, MA 02133-1053
(617) 722-2040

Representative Demetrius J. Atsalis
State House – Room 167
Boston, MA 02133-1053
(617) 722-2692

Representative Stephen P. LeDuc
State House – Room 38
Boston, MA 02133-1053
(617) 722-2470

Representative Robert Spellane
State House – Room 42
Boston, MA 02133-1053
(617) 722-2370

Representative Viriato M. deMacedo
State House – Room 443
Boston, MA 02133-1053
(617) 722-2460

Senator David P. Magnani
State House - Room 413-A
Boston, MA 02133-1053
(617) 722-1640

Senator Thomas M. McGee
State House – Room 413-E
Boston, MA 02133-1053
(617) 722-1350

Senator Robert L. Hedlund
State House – Room 413-E
Boston, MA 02133-1053
(617) 722-1646

Representative Michael J. Rodrigues
State House – Room 43
Boston, MA 02133-1053
(617) 722-2030

Representative David C. Bunker
State House – Room 236
Boston, MA 02133-1053
(617) 722-2430

Representative Brian Knuuttila
State House – Room 443
Boston, MA 02133-1053
(617) 722-2460

Representative Christopher Asselin
State House – Room 38
Boston, MA 02133-1053
(617) 722-2470

Representative Paul J.P. Loscocco
State House – Room 443
Boston, MA 02133-1053
(617) 722-2460

APPENDIX E

The Governor's Council

Room 184, State House
Boston, MA 02133
(617) 727-2756

The Massachusetts Governor's Council, also known as the Executive Council, is comprised of eight individuals elected from districts, and the Lt. Governor who serves ex officio. The eight councilors are elected from their respective districts every two years. Each councilor is paid \$15,000 annually plus certain expenses.

The Council generally meets at noon on Wednesdays in its State House Chamber, next to the Governor's Office, to act on such issues as payments from the state treasury, criminal pardons and commutations, and approval of gubernatorial appointments; such as judges, notaries, and justices of the peace.

The Governor's Council is responsible for approving all Administrative Judges and Administrative Law Judges at the Division of Industrial Accidents.

Michael J. Callahan
500 Salem Street
Medford, MA 02155
Res: (781) 393-9890

Carol A. Fiola
One Home Street
Somerset, MA 02726
Bus: (508) 678-9727

Marilyn Petitto Devaney
98 Westminster Avenue
Watertown, MA 02472
Res: (617) 923-0778
Fax: (617) 926-6001

Mary-Ellen Manning
80 Lowell Street
Peabody, MA 01960
Bus: (978) 531-6363

Christopher A. Iannella
263 Pond Street
Boston, MA 02130
Bus: (617) 227-1538
Fax: (617) 742-1424

Dennis P. McManus
1112 West Boylston Street
Worcester, MA 01606
Bus: (508) 854-1670

Edward M. O'Brien
10 Dragon Circle
Easthampton, MA 01027
Bus: (413) 527-4600

Kelly A. Timilty
30 Green Lodge Street
Canton, MA 02021
Bus: (617) 828-6363

APPENDIX F

Industrial Accident Nominating Panel

THOMAS J. GRIFFIN, III, COMMISSIONER - DIA - CHAIR

Joseph Bonfiglio,
Business Manager/Secretary Treasurer
Laborer's International Union
Local 151
238 Main Street
Cambridge, MA 02142
Tel. (617) 876-8081
Fax:(617) 492-0490

Angelo Buonopane, Director
Labor & Workforce Development
One Ashburton Place, 21st Floor
Boston, MA 02108
Tel.(617) 727-6573 x 100
Fax: (617)727-1090

James C. Cronin, Esq.
Raytheon
141 Spring Street
Waltham, MA 02254
Tel. (781) 860-1725
Fax:(781) 860-1738

Mr. Robert J. Haynes, President
Mass. AFL-CIO
8 Beacon Street
Boston, MA 02108
Tel. (617) 227-8260
Fax:(617) 227-2010

Daniel J. O'Shea, Senior Judge
DIA - 600 Washington Street
Boston, MA 02111
Tel. (617) 727-4900 x 354
Fax:(617) 727-7122

Steven D. Pierce, Chief Legal Counsel
*(Eric Neyman, Deputy Legal Counsel)
Room 271 - State House
Boston, MA 02133
Tel. (617) 727-2065
Fax:(617) 727-8290

Mr. Gino Maggi, President
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Fax:(413) 467-7186
(RESIGNED)

Terence McCourt, Esq.
Hanify & King
One Federal Street
Boston, MA 02110
Tel.(617) 423-0400
Fax:(617) 423-0498

Dr. Grant Rodkey
11 Beatrice Circle
Belmont, MA 02478-02657
Office: 724-0110 (Use V.A.# below)
V.A.# 232-9500 x 4836 Fax: 278-4543

Peter Abair, Acting Director
Dept. of Economic Development
One Ashburton Pl., Room 1201
Boston, MA 02108
Tel. (617) 727-8380 x 326
Fax:(617) 727-727-4426
*(Owen Kane, Gen. Counsel)

Michael A. Torrissi, Esq.
Torrissi & Torrissi, L.L.C.
Chestnut Green/Route 114
555 Turnpike Street, Suite 44
North Andover, MA 01845
Tel. (978) 683-4440
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Henry E. Bratcher, Esq.
Kenner, Engelberg, DaDalt & Bratcher
99 Summer Street, Suite 1120
Boston, MA 02110
Tel. (617) 439-7770
Fax: (617) 439-8881

*These people usually appear for the person listed above their name.

APPENDIX G

Roster of Judicial Expiration Dates (6/12/02)

INDUSTRIAL ACCIDENT REVIEWING BOARD SIX YEAR TERMS

1.	Martine Carroll	Unenrolled	5/28/04
2.	Frederick Levine	Unenrolled	5/28/04
3.	Susan Maze-Rothstein	Democrat	6/10/04
4.	William McCarthy	Democrat	5/21/04
5.	Patricia Costigan	Unenrolled	6/03/04
6.	Sara Holmes Wilson	Republican	5/28/04

INDUSTRIAL ACCIDENT BOARD SIX YEAR TERMS

1.	Douglas Bean	Republican	6/26/05
2.	Michael Chadinha	Republican	5/28/04
3.	David Chivers	Republican	5/21/04
4.	William Constantino	Republican	6/13/07
5.	Lynn Brendemuehl	Unenrolled	7/06/06
6.	Joellen D'Esti	Unenrolled	5/21/04
7.	John Harris	Republican	5/28/04
8.	Richard Heffernan	Democrat	9/04/03
9.	John Preston	Republican	7/29/06
10.	James LaMothe	Republican	1/31/03
11.	Roger Lewenberg	Republican	6/26/04
12.	Open		8/03/00
13.	Douglas McDonald	Democrat	7/06/06
14.	Bridget Murphy	Republican	7/27/06
15.	Daniel O'Shea	Republican	5/28/04
16.	Leo Purcell	Democrat	12/29/99
17.	Diane Solomon	Unenrolled	8/10/06
18.	James St. Amand	Democrat	5/28/04
19.	Stephen Sumner	Unenrolled	7/05/02
20.	Richard Tirrell	Democrat	5/14/04
21.	Charles E. Walker, Jr.	Unenrolled	9/18/04

INDUSTRIAL ACCIDENT BOARD ONE YEAR TERMS

1.	Fred Taub	Democrat	7/01/03
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RETIRED/PART-TIME ONE YEAR TERMS

1.	William Pickett	Democrat	1/19/03
2.	John McLaughlin	Republican	1/19/03

APPENDIX H

HEALTH CARE SERVICES BOARD

Dean M. Hashimoto, MD, JD	<i>CHAIR, Ex-Officio Member</i>
Henry W. DiCarlo, BS, MM	<i>VICE-CHAIR, Employer Representative</i>
David S. Babin, MD	<i>Physician Representative</i>
Robert A. Gundersen	<i>Hospital Administrative Representative</i>
Martin J. Dunn, DMD	<i>Dentist Representative</i>
Robert P. Naparstek, MD	<i>Physician Representative</i>
Peter A. Hyatt, DC	<i>Chiropractic Representative</i>
Daniel J. McNichol	<i>Public Representative</i>
L. Christine Oliver, MD	<i>Physician Representative</i>
Cynthia M. Page, PT	<i>Physical Therapy Representative</i>
Janet D. Pearl, MD, MSc	<i>Physician Representative</i>
Nancy Lessin	<i>Employee Representative</i>
Bernard S. Yudowitz, MD, JD	<i>Physician Representative</i>

Staff:

Catherine Fernam, RN, MS, CS – Executive Director

Judith A. Atkinson, Esq. – Counsel

Hella Dalton – Research Analyst

Members may be reached c/o:

Department of Industrial Accidents

Health Care Services Board

600 Washington Street, 7th Floor

Boston, MA 02111

Tel: (617) 727-4900 ext.: 310 or 574

Fax: (617) 438-2176

APPENDIX I

Workers' Compensation Organizations

The following are government, private, and non-profit organizations that have a role in the Massachusetts workers' compensation system. Many of the organizations below are advocacy groups funded by a specific group to represent and promote their particular view.

This is meant to be informative only, and is by no means an exhaustive list of all groups involved with workers' compensation. Inclusion of an organization's name does not indicate an endorsement of any particular viewpoint or organization nor does it relate to their effectiveness or reliability in advocating a particular view.

The categories are Massachusetts State Government, Insurance, Medical, Public Policy/Research, Fraud, Safety, Legal, and Federal Government/National Organizations.

Massachusetts State Government

Massachusetts Workers' Compensation Advisory Council

600 Washington Street, Boston, MA 02111

Phone: 617-727-4900 x378 Web Page: <http://www.state.ma.us/wcac/>

The Advisory Council is a labor-management committee appointed by the Governor to monitor, make recommendations, give testimony, and report on all aspects of the workers' compensation system, except the adjudication of particular claims or complaints, and to improve the workers' compensation system in the Commonwealth.

Division of Industrial Accidents (DIA)

600 Washington Street, Boston, MA 02111 (Boston Office)

Phone: 617-727-4900 Info: 800-323-3249 x470 Web Page: <http://www.state.ma.us/dia/>

The Division of Industrial Accidents administers the Commonwealth's Workers' Compensation system. The DIA provides prompt and rational compensation to victims of occupational injuries and illness, and oversees that medical treatment to injured workers is provided in a timely manner while balancing the needs of employers to contain workers' compensation insurance costs.

Joint Committee on Commerce and Labor

State House, Room 43, Boston, MA 02133

Phone: 617-722-2030 Web Page: <http://www.state.ma.us/legis/comm/j12.htm>

The Commerce and Labor Committee consists of elected state representatives and senators. It is their duty to consider all matters concerning commercial, industrial and mercantile establishments, industrial development, consumer protection, discrimination with respect to employment, labor laws and such other matters.

Office of the Governor

State House, Room 360, Boston, MA 02133

Phone: 617-727-7238

The Governor appoints the Director of Labor, the Director of Economic Development, the Commissioner of the DIA, Administrative and Administrative law judges of the DIA, and the members of the Workers' Compensation Advisory Council.

Governor's Council

State House, Room 184, Boston, MA 02133

Phone: 617-727-2795 Web Page: <http://www.state.ma.us/gov/govco.htm>

The Massachusetts Governor's Council, also known as the Executive Council, is composed of eight individuals elected from districts, and the Lt. Governor who serves ex officio. The eight councilors are elected from their respective districts every two years. The Council generally meets at noon on Wednesdays in its State House Chamber, next to the Governor's Office, to act on such issues as payments from the state treasury, criminal pardons and commutations, and approval of gubernatorial appointments; such as judges, notaries, and justices of the peace. All DIA judges are appointed by the Governor subject to the consent & approval of the Governor's Council.

Department of Labor and Workforce Development

One Ashburton Place, Boston, MA 02108

Phone: 617-727-6573

The Department of Labor and Workforce Development is charged with promoting and protecting the legal, safety, health and economic interests of the Commonwealth's workers, and preserving productive and fair paying jobs. The Division of Industrial Accidents is one of five departments that fall under the Department of Labor and Workforce Development. The Director of Labor is an ex-officio member of the Workers' Compensation Advisory Council.

Massachusetts Rehabilitation Commission

59 Temple Place, Boston, MA 02111

Phone: 617-482-1780 Web Page: <http://www.state.ma.us/mrc/>

The mission of the MRC is to provide comprehensive services with and for persons with disabilities toward the goal of employment and independence. In cooperation with other public and private human service organizations, the MRC promotes its ultimate vision of equality, empowerment and productive independence of individuals with disabilities.

Department of Economic Development

One Ashburton Place, Boston, MA 02108

Phone: 617-727-8380 Web Page: <http://www.magnet.state.ma.us/econ/>

The Department of Economic Development and its offices and divisions seek to promote job creation and long-term economic growth in Massachusetts. It seeks to attract new businesses to the state, help existing businesses expand, assist emerging firms in obtaining the human, financial, and technological resources necessary to prosper and grow, and provide assistance and training to the unemployed and underemployed. The Director of Economic Development is an ex-officio member of the Workers' Compensation Advisory Council.

Office of the Attorney General

One Ashburton Place, Boston, MA 02108

Phone: 617-727-2200 Web Page: <http://www.state.ago.state.ma.us/>

The Attorney General's office prosecutes workers' compensation fraud and enforces state labor laws. It also held a series of meetings for its task force on waste, fraud, and abuse in the workers' compensation system. A series of "White Papers" are available from the office on issues brought up at those meetings.

(Division of Health Care Finance and Policy and the Division of Insurance are also State Agencies)

Insurance**Division of Insurance (DOI)**

One South Station, 5th floor, Boston, MA 02110

Phone: 617-521-7794 Web Page: <http://www.state.ma.us/doi/>

The DOI regulates all insurance programs and monitors and licenses self-insurance groups. The **State Rating Bureau** is an office within the DOI that testifies at rate hearings with respect to insurance rates. The Commissioner of DOI holds hearings on rate filings and issues a decision.

DIA- Office of Insurance

600 Washington Street, Boston, MA 02111

Phone: 617-727-4900 x371

Issues annual licenses for self-insurance; monitors insurance complaints; maintains the insurer register.

DIA- Office of Investigations

600 Washington Street, Boston, MA 02111

Phone: 617-727-4900 x409

Issues stop work orders and fines employers without workers' compensation insurance.

The Workers' Compensation Rating and Inspection Bureau of Massachusetts (WCRIB)

101 Arch Street, 5th floor, Boston, MA 02110

Phone: 617-439-9030 Web Page: www.wcribma.org

Private non profit body funded by insurers;

- Licensed rating organization for workers' compensation; WCRIB submits workers' compensation insurance rates, rating plans, and forms for approval (rates are subject to approval by the Commissioner of Insurance);
- WCRIB is the statistical agent for workers' compensation for the Commissioner of Insurance;
- administers assigned risk pool; designates insurance carriers for employers who cannot obtain policy in voluntary market;
- collects statistical data from insurers;
- NCCI handles some of the accounting procedures for the pool.

National Council on Compensation Insurance (NCCI)

750 Park of Commerce Drive, Boca Raton, FL 33487

Phone: 407-997-1000 Web Page: <http://www.ncci.com/index.html>

NCCI is a national organization devoted to workers' compensation insurance. It has a somewhat limited role in Massachusetts:

- Does some of the accounting for the assigned risk pool under contract with the WCRIB;
- Determines residual market loss reserves.
- In 34 other states, NCCI is the organization that files for insurance rates or loss costs (in Massachusetts, it is the WCRIB that files for rate changes);
- NCCI also administers various state funds where the state acts as an insurance carrier for workers' compensation.

Medical

Division of Health Care Finance and Policy

2 Boylston Street, Boston, MA 02116

Phone: 617-451-5340 Web Page: <http://www.state.ma.us/dhcfp/>

The Division of Health Care Finance and Policy (formerly the Rate Setting Commission) sets reimbursement rates for medical services in workers' compensation.

DIA- The Health Care Services Board

Phone: 617-727-4900 x578

This office coordinates the utilization review program, the Medical Consultant Consortium, and the Health Care Services Board at the DIA.

Massachusetts Medical Society

1440 Main Street, Waltham, MA 02154-1649

Phone: 781-893-4610 / 800-322-2303 Web Page: <http://www.massmed.org/>

Private, non-profit professional association represents the Massachusetts physician community.

Massachusetts Hospital Association

5 New England Executive Park, Burlington, MA 01803

Phone: 781-272-8000 Web Page: <http://www.mhalink.org>

The Massachusetts Hospital Association (MHA) is a voluntary, not-for-profit organization comprised of hospitals and health systems, related organizations, and other members with a common interest in promoting the health of the people of the Commonwealth.

Massachusetts Orthopedic Association

45 Broad Street, Boston, MA 02109

Phone: 617-451-9663

Private, non-profit professional association representing physicians practicing in the specialty area of orthopedic surgery.

Massachusetts Chiropractic Society

76 Woodland Street, Methuen, MA 01844-4295

Phone: 978-682-8242 / 800-442-6155 Web Page: <http://www.masschiro.org>

The Massachusetts Chiropractic Society a non-profit membership service organization representing the chiropractic profession in Massachusetts. The Society's principle function is to maintain the standards in education, ethics, and professional competency necessary to meet the requirements of the profession and the expectations of the general public.

American Physical Therapy Association of Massachusetts

14 Beacon Street, Suite 719, Boston, MA 02108

Phone: 617-523-4285 National Chapter: 800-999-2782 Web Page: <http://aptaofmass.org>

The American Physical Therapy Association of Massachusetts Inc., with more than 2200 members, is a component of the American Physical Therapy Association. APTA's goal is to foster advancement in physical therapy practice, education, and research.

American Occupational Therapy Association

4270 Montgomery Lane, P.O. Box 31220, Bethesda, MD 20824-1220

Phone: 301-652-2682 Web Page: <http://www.nih.gov/nia/related/aoaresrc/dir/45.htm>

The American Occupational Therapy Association (AOTA) supports the professional community for occupational therapists and develops and preserves the viability and relevance of the profession. The organization serves the interests of its members, represents the profession to the public, and promotes access to occupational therapy services.

Public Policy/ Research

Workers' Compensation Research Institute (WCRI)

101 Main Street, Cambridge, MA 02142

Phone: 617-494-1240 Web Page: <http://www.wcrinet.org>

WCRI is a nonpartisan, not-for-profit public policy research organization funded primarily by employers and insurers. The WCRI research takes several forms, according to their statement of purpose: "original research studies of major issues confronting workers' compensation systems; original studies of individual state systems where policy makers have shown an interest in reform and where there is an unmet need for that objective information; source book that brings together information from a variety of sources to provide unique, convenient reference works on specific issues; periodic research briefs on significant new research, data, and issues in the field." (WCRI Annual Report/Research Review, 1992).

Associated Industries of Massachusetts (AIM)

Workers' Compensation Oversight Committee

222 Berkeley Street, P.O. Box 763, Boston, MA 02117

Phone: 617-262-1180 Web Page: <http://www.aimnet.org>

The Associated Industries of Massachusetts is a dues-supported, non-profit, nonpartisan employers' association dedicated to improving the Commonwealth's economic climate.

Massachusetts AFL-CIO

8 Beacon Street, Boston, MA 02108

Phone: 617-227-8260 Web Page: <http://www.massaficio.org>

Umbrella organization represents its member local offices of unions in Massachusetts.

International Association of Industrial Accident Boards and Commissions (IAIABC)

1201 Wakarusa, C-3, Lawrence, KA 66049

Phone: 904-252-2915 Web Page: <http://www.iaiaabc.org>

The International Association of Industrial Accident Boards and Commissions serves the needs of the workers compensation system through promoting efficient and farsighted regulation and administration of the law.

Fraud

Insurance Fraud Bureau of Massachusetts (IFB)

101 Arch Street, Boston, MA 02110

Phone: 617-439-0439 (1-800-32FRAUD) Web Page: <http://www.ifb.org>

The Insurance Fraud Bureau of Massachusetts is a multifaceted investigative agency dedicated to the systematic elimination of fraudulent insurance transactions. Authorized by an Act of the Massachusetts Legislature and signed into law in 1990, the Insurance Fraud Bureau undertakes cases for investigation and preparation for criminal prosecution. The Bureau is wholly funded by the insurance industry in Massachusetts.

The DIA - Office of Investigations (see above “insurance”) and the Attorney General’s Office, Insurance Fraud Unit (see above “state government”) also fall under the fraud category.

Safety

Office of the Attorney General - Business and Labor Protection Bureau

Fair Labor and Business Practices Division, 200 Portland Street, Boston, MA 02114

Phone: 617-727-3477 Web Page: <http://www.ago.state.ma.us/ago5.htm>

The Business and Labor Protection Bureau investigates and prosecutes violations of child labor laws and work-related injuries to minors, grants workplace procedure waivers, inspects workplace safety on construction sites, industrial sites and in the manufacturing industry. They also prosecute egregious cases of violations of industrial workplace safety and may shut down a job site in cases of imminent danger to the safety of employees or the public.

DIA- Office of Safety

Phone: 617-727-4900 x377

The function of the Office of Safety is to reduce work related injury and illnesses by “establishing and supervising programs for data collection on workplace injuries and for the education and training of employees and employers in the recognition, avoidance and prevention of unsafe or unhealthy working conditions in employment and advising employees and employers on these issues.” (M.G.L. c. 23E, 3(6)).

Massachusetts Coalition of Occupational Safety and Health (MassCOSH)

555 Armory Street
Boston, MA 02130
617-825-7233

The following safety councils provide publications, videos, training programs, speakers and other information for a fee.

- *Safety Council of Western Massachusetts* (Springfield) 413-737-7908
- *National Safety Council* , Central MA Chapter (West Boylston) 508-835-2333
- *Massachusetts Safety Council* (Braintree) (Serves Eastern MA) 617-356-1633
- *American Society of Safety Engineers* (ASSE) is a non profit association that provides monthly educational seminars and training. It can be reached through the local safety councils.

See also OSHA and NIOSH under federal government

Legal

Massachusetts Bar Association

Workers' Compensation Committee
20 West Street, Boston, MA

Phone: 617-542-3602 Web Site: <http://www.massbar.org>

The Massachusetts Bar Association is the statewide voluntary professional association for all lawyers, in all types of practice, in all areas of law.

Massachusetts Academy of Trial Attorneys

15 Broad Street, Suite 415, Boston, MA 02109
Phone: 617-248-5858

Private, non-profit professional association represents the plaintiff's attorneys in Massachusetts.

Federal Government / National Organizations

While most programs for workers' compensation are administered at the state level, there are various safety, labor, and workers' compensation programs administered by the federal government.

U.S. Department of Labor

Employment Standards Administration
Office of Workers' Compensation Programs
Division of Planning, Policy and Standards
200 Constitution Avenue, N.W., Washington, D.C. 20210
Phone: 202-219-7491

The Division of Planning, Policy and Standards at the Office of Workers' Compensation Programs serves as a liaison to the states regarding state workers' compensation matters. They produce two major publications: State Workers' Compensation Administration Profiles and State Workers' Compensation Laws.

The Office of Workers' Compensation Programs also administers three other divisions: Division of Longshore and Harbor Workers' Compensation (202-219-8721); Division of Federal Employee's Compensation (202-219-7552); and the Division of Coal Mine Workers' Compensation (202-219-6692).

Department of Labor

Occupational Safety and Health Administration (OSHA)

200 Constitution Avenue, NW, Washington, D.C. 20210

Regional Office: 133 Portland Street

Boston, MA 02114

617-565-7164

National Institute for Occupational Safety and Health (NIOSH)

944 Chestnut Ridge Road, Morgantown, WV 26505-2888

800-356-4674

Federal agency under the Department of Health and Human Service. Clearinghouse information on workplace safety, health, and illness.

Occupational Health Foundation

815 16th Street, N.W. Suite 312

Washington, D.C. 20006

202-842-7840

The OHF is a labor-sponsored, non-profit organization delivering service to the American labor movement and individual members of the workforce. OHF's mission is to improve occupational safety and health conditions for workers. (OHF 1993 Annual Program Report)

United States Chamber of Commerce

1615 H Street, NW, Washington, D.C. 20062-2000

202-659-6000

Publishes an analysis of state workers' compensation statutes.

APPENDIX J

Office of Safety Proposals Recommended for Funding FY 2003

1. Analog Devices
804 Woburn Street
Wilmington, MA 01887
(781) 937-2164
Title: Occupational Safety and Health Training Program
Category of Applicant: Public Employer
Target Population: Employees/Employers/Supervisors
Geographic Target: Lawrence
Program Administrator: Elizabeth Telsey
Total Funds Requested: \$22,025.00 **Approved:** \$22,025.00
2. Brunetta Associates
15 Houston Street
Methuen, MA 01844
(978) 688-8745
Title: Occupational Safety and Health Education and Training Program
Category of Applicant: Private Employer
Target Population: Employees/Employers/Supervisors
Geographic Target: Statewide
Program Administrator: Anthony Brunetta
Total Funds Requested: \$29,952.50 **Approved:** \$29,952.50
3. Sargent and Associates
23 Chelmsford Street
Chelmsford, MA 01824
(978) 256-7459
Title: Ergonomics Training for Pepsi Cola Company of Worcester
Category of Applicant: Private Employer
Target Population: Employees/supervisors/safety committee
Geographic Target: Worcester
Program Administrator: William Russell
Total Funds Requested: \$16,143.40 **Approved:** \$16,143.40
4. Advanced Therapeutic Resources
100 Main Street, Suite 16
Amesbury, MA 01913
(508) 388-6775
Title: Preventing Musculoskeletal Disorders at four Different Companies through Education and Ergonomics
Category of Applicant: Private Employer
Target Population: Employees/Supervisors
Geographic Target: Statewide
Program Administrator: Julie Cicalis
Total Funds Requested: \$28,380.00 **Approved:** \$28,380.00

5. Painters & Allied Trades Local #35
25 Colgate Road
Roslindale, MA 02131
(617) 524-0248
Title: Scaffold Users Safety Training
Category of Applicant: Joint Labor/Management
Target Population: Employees
Geographic Target: Boston
Program Administrator: Paul MacLean
Total Funds Requested: \$16,706.60 **Approved:** \$16,706.60
6. Julius Koch, USA, Inc.
387 Church Street
New Bedford, MA 02745
(508) 995-9565
Title: Prevention of Work Related Musculo-Skeletal Injuries
Category of Applicant: Private Employer
Target Population: Employees/Employers/Supervisors
Geographic Target: Fall River
Program Administrator: Claudia Mullane
Total Funds Requested: \$28,840.85 **Approved:** \$28,840.85
7. Asbestos Workers Local #43
1053 Burts Pit Road
Northampton, MA 01060-3630
(413) 584-0028
Title: Preventing Asbestos Related Disease for Building Trades Workers in Western MA
Category of Applicant: Labor Organization/Federation
Target Population: Employees
Geographic Target: Worcester/Lawrence/Springfield
Program Administrator: Robert Starr
Total Funds Requested: \$19,884.00 **Approved:** \$19,884.00
8. Shipley, LLC
455 Forest Street
Marlborough, MA 01752
(508) 481-7950
Title: Ergonomic Awareness Training for Lab and Office Workers
Category of Applicant: Private Employer
Target Population: Employees/Supervisors
Geographic Target: Worcester
Program Administrator: Michael Lombardi
Total Funds Requested: \$12,100.00 **Approved:** \$12,100.00

9. Covino Environmental Associates, Inc.
300 Wildwood Avenue
Woburn, MA 01801
(508) 586-6200
Title: Health & Safety Training for Small Biotech Companies
Category of Applicant: Private Employer
Target Population: Employees/Employers
Geographic Target: Boston
Program Administrator: Robert Clifford
Total Funds Requested: \$26,200.00 **Approved:** \$26,200.00
10. Boston Carpenters Apprenticeship & Training
385 Market Street
Brighton, MA 02135
(617) 782-4314
Title: Occupational Safety and Health Training Program
Category of Applicant: Labor/Management
Target Population: Employees/Supervisors/Employer
Geographic Target: Statewide
Program Administrator: Benjamin Tilton
Total Funds Requested: \$29,840.43 **Approved:** \$28,874.90
11. Venture Tape Corporation
30 Commerce Road
Rockland, MA 02370-0384
(781) 331-5900
Title: Ergonomic Training to Prevent Musculoskeletal Injuries
Category of Applicant: Private Employer
Target Population: Employees/Supervisors
Geographic Target: Boston
Program Administrator: Anne Durgin
Total Funds Requested: \$12,603.75 **Approved:** \$12,603.25
12. Minuteman Tech High School
758 Marrett Road
Lexington, MA 02173
(781) 861-6500, ext. 349
Title: Occupational Safety and Health Education and Training
Category of Applicant: Public Employer
Target Population: Employees/Supervisors
Geographic Target: Boston
Program Administrator: Carol Zanin
Total Funds Requested: \$29,840.00 **Approved:** \$29,840.00

13. Pioneer Valley Central Labor Council
640 Page Blvd.
Springfield, MA 01104
(413) 732-7970
Title: Keep Safe: Health and Safety on the Job
Category of Applicant: Labor Organization
Target Population: Employees
Geographic Target: Springfield
Program Administrator: Irene Kimball
Total Funds Requested: \$15,636.08 **Approved:** \$15,636.08
14. Family Services of Fall River Home Assistance Program
151 Rock Street
Fall River, MA 02720
(508) 678-7542
Title: Health and Safety Training
Category of Applicant: Private Employer
Target Population: Employees/Supervisors
Geographic Target: Fall River
Program Administrator: Susan Potvin
Total Funds Requested: \$29,984.25 **Approved:** \$29,984.25
15. Chadwick's of Boston
35 United Drive
West Bridgewater, MA 02379-1026
(508) 895-2683
Title: Office Ergonomic Training, Safety Team Development & Video Production
Category of Applicant: Private Employer
Target Population: Employees/Supervisors
Geographic Target: Fall River
Program Administrator: Thomas Minichiello
Total Funds Requested: \$29,025.00 **Approved:** \$28,750.00
16. Operating Engineers Local 98
2 Center Square
E. Longmeadow, MA 01028
(413) 525-4291
Title: Excavation and Trenching Safety Program
Category of Applicant: Joint Labor Management Committee
Target Population: Employees
Geographic Target: Springfield
Program Administrator: Michael J. Florio
Total Funds Requested: \$16,711.67 **Approved:** \$16,711.67

17. Barry Right Corporation
40 Guest Street
Brighton, MA 02135
(617) 787-1555
Title: Ergonomic Training to Prevent Musculo-Skeletal Injuries
Category of Applicant: Private Employer
Target Population: Employees/Supervisors/Safety Team
Geographic Target: Boston
Program Administrator: Kevin McGahan
Total Funds Requested: \$18,749.56 **Approved:** \$18,749.56
18. Mass Compliance, LLC
19 Clark Street
Wilmington, MA 01887
(978) 694-0998
Title: Hazwopper Training for Three Private Companies
Category of Applicant: Private Employer
Target Population: Employees/Employers/Supervisors
Geographic Target: Statewide
Program Administrator: Beth Comeau
Total Funds Requested: \$29,738.34 **Approved:** \$29,738.34
19. Franklin Regional Council of Governments
425 Main Street
Greenfield, MA 01301
(413) 774-3167
Title: Preventing Occupational Injury & Building Safety Awareness in Franklin County Towns and Schools
Category of Applicant: Public Employer
Target Population: Employees/Supervisors/Employers
Geographic Target: Springfield
Program Administrator: Lisa White
Total Funds Requested: \$25,480.25 **Approved:** \$25,480.25
20. Aramark Uniform & Apparel
141 Longwater Drive
Norwell, MA 02601
(781) 273-0123
Title: Ergonomic Training to Prevent Musculoskeletal Injuries
Category of Applicant: Private Employer
Target Population: Employees/Supervisors
Geographic Target: Fall River
Program Administrator: Maureen Franzoni
Total Funds Requested: \$28,077.20 **Approved:** \$28,076.70

21. MassCOSH (083)
12 Southern Avenue
Dorchester, MA 02124
(617) 825-7233
Title: Boston School Bus Drivers Ergonomics 2002
Category of Applicant: Non-profit Organization
Target Population: Employees
Geographic Target: Boston
Program Administrator: Sandra Baldwin-Goncalves
Total Funds Requested: \$17,896.00 **Approved:** \$17,896.00
22. Quadrant Health Strategies, Inc.
34 Salem Street
Wilmington, MA 01887
(978) 988-8832
Title: Ergonomic Training to Prevent Musculoskeletal Injuries
Category of Applicant: Private Employer
Target Population: Employees/Employer
Geographic Target: Fall River
Program Administrator: Rena Hannaford
Total Funds Requested: \$30,000.00 **Approved:** \$29,999.50
23. Western MassCOSH
640 Page Boulevard
Springfield, MA 01104
(413) 731-0760
Title: Training to Protect the Health and Safety of Employees in the Cities of
Springfield, Northampton and Chicopee
Category of Applicant: Non Profit
Target Population: Employees/Supervisors
Geographic Target: Springfield
Program Administrator: Aaron Wilson
Total Funds Requested: \$17,108.61 **Approved:** \$17,108.61
24. Jordan's Furniture, Inc.
100 Stockwell Drive
Avon, MA 02322
(508) 580-4600
Title: Ergonomic Training to Prevent Musculoskeletal Injuries
Category of Applicant: Private Employer
Target Population: Employees/Supervisors
Geographic Target: Fall River
Program Administrator: Denise Des Lauriers
Total Funds Requested: \$30,000.00 **Approved:** \$29,999.50

25. City of Newton
Department of Human Resources
1000 Commonwealth Avenue
Newton, MA 02459
(617) 552-7037
Title: A Multi-Level Training Program for the Newton School Department
Category of Applicant: Public Employer
Target Population: Supervisors/employees
Geographic Target: Boston
Program Administrator: Lori Berrett
Total Funds Requested: \$22,312.50 **Approved:** \$22,312.50
26. South Shore Savings Bank
1530 Main Street
South Weymouth, MA 02190
(781) 682-3140
Title: Ergonomic Training to Prevent Musculoskeletal Injuries
Category of Applicant: Private Employer
Target Population: Employees/Employers/Supervisors/Safety Team
Geographic Target: Boston
Program Administrator: Rosemarie McGillicuddy
Total Funds Requested: \$15,477.50 **Approved:** \$15,477.50
27. MA Nurses Association
340 Turnpike Street
Canton, MA 02021-2711
(781) 821-4625
Title: Applying OSHA to Healthcare Settings
Category of Applicant: Labor Organization
Target Population: Employees
Geographic Target: Statewide
Program Administrator: Evelyn Bain
Total Funds Requested: \$8,516.98 **Approved:** \$8,516.98
28. New England Business Service, Inc.
500 Main Street
Groton, MA 01471
(978) 448-6111
Title: Training for a Safe Office Environment & Ergonomic Video Production
Category of Applicant: Private Employer
Target Population: Employees/Supervisors
Geographic Target: Worcester
Program Administrator: Karen Nielson
Total Funds Requested: \$19,500.00 **Approved:** \$19,500.00

29. Electrical JATC
67 Market Street
Springfield, MA 01103
(413) 737-2253
Title: Safety Issues for Electricians
Category of Applicant: Labor Organization
Target Population: Employees
Geographic Target: Springfield
Program Administrator: Ron Grise
Total Funds Requested: \$29,964.60 **Approved:** \$29,964.60
30. Ark-les Corporation
95 Mill Street
Stoughton, MA 02072
(781) 297-6000
Title: Occupational Safety and Health Program
Category of Applicant: Private Employer
Target Population: Employees
Geographic Target: Worcester
Program Administrator: Barbara McAleer
Total Funds Requested: \$29,991.00 **Approved:** \$29,991.00
31. Rodman Ford Sales, Inc.
101 Washington Street
Foxboro, MA 02035
(508) 543-3333
Title: Occupational Safety and Health Training Program
Category of Applicant: Private Employer
Target Population: Employees/Supervisors
Geographic Target: Fall River
Program Administrator: Brett Rodman
Total Funds Requested: \$28,162.80 **Approved:** \$28,162.80
32. ADE Corporation
80 Wilson Way
Westwood, MA 02090-1806
(781) 467-3973
Title: Ergonomic Training to Prevent Musculoskeletal Injuries
Category of Applicant: Private Employer
Target Population: Employees/Supervisors
Geographic Target: Boston
Program Administrator: Michael Reilly
Total Funds Requested: \$25,341.50 **Approved:** \$25,341.50

33. Ames Safety Envelope Company
12 Tyler Street
Somerville, MA 02143
(617) 684-1261
Title: Occupational Safety and Health Education Program
Category of Applicant: Private Employer
Target Population: Employees/Supervisors
Geographic Target: Boston
Program Administrator: Karin Broadhurst
Total Funds Requested: \$29,977.00 **Approved:** \$29,977.00
34. Catharsis Corporation
82 Reservoir Street
Needham, MA 02494
(781) 400-1600
Title: Prevention of CTD'S
Category of Applicant: Private Employer
Target Population: Employees/Supervisors
Geographic Target: Statewide
Program Administrator: Seema Pandya
Total Funds Requested: \$29,085.00 **Approved:** \$29,085.00

APPENDIX K

Budget Subsidiaries

Subsidiary AA: Regular Employee Compensation

Includes regular compensation for employees in authorized positions including regular salary, overtime, and other financial benefits. All expenditures for this subsidiary must be made through the payroll system.

Subsidiary BB: Regular Employee Related Expenses

This subsidiary includes reimbursements to employees and payments on behalf of employees with the exception of pension and insurance related payments. This includes out of state travel (airfare, lodging, other); in state travel; overtime meals; tuition; conference, training, and registration; membership dues, etc.

Subsidiary CC: Special Employees/ Contracted Services

Payments to individuals employed on a temporary basis through contracts as opposed to authorized positions paid through subsidiary AA. (These employees are generally not eligible for benefits). Includes contracted faculty; contracted advisory board/commission members; seasonal; student interns, etc.

Subsidiary DD: Pension and Insurance-Related Expenditures

Pension and insurance related expenditure for former and current employees and beneficiaries. Includes retirement, health and life insurance, workers' compensation benefits; medical expenses; universal health insurance charge-back; universal health insurance payments, etc.

Subsidiary EE: Administrative Expenses

Expenses associated with departmental operations. Includes office and administrative supplies; printing expenses and supplies; micrographic supplies; central reprographic charge-back; postage, telephone, software, data processing; subscriptions and memberships; advertising; exhibits/displays; bottled water.

Subsidiary GG: Energy Costs and Space and Rental Expenses

Plant operations, space rentals, utilities, and vehicle fuel. Includes fuel for buildings; heating and air conditioning; sewage and water bills, etc.

Subsidiary HH: Consultant Services

Outside professional services for specific projects for defined time periods, incurred when services are not provided by, or available from state employees. Consultants advise and assist departments but do not provide direct services to clients. Includes accountants; actuaries/statisticians; information technology professionals; advertising agency; arbitrators; architects; attorneys; economists; engineers; health/safety experts; honoraria for visiting speakers; researchers; labor negotiators; management consultants; medical consultants, etc.

Subsidiary JJ: Operational Services

Expenditures for the routine functioning of the Division. Services are provided by non-employees (individuals or firms) generally by contractual arrangements, except when authorized by statute or regulation. Includes movers; snow removal services; messenger services; law enforcement (detail officer).

Subsidiary KK: Equipment Purchase

Purchase and installation of equipment. (See LL for equipment lease, repair). Includes information technology equipment (computers, software); educational equipment (overhead projectors, tape recorders); photocopying equipment, office equipment, etc.

Subsidiary LL: Equipment Lease-Purchase, Lease and Rental, Maintenance and Repair

Includes expenditures for the lease-purchase, lease, rental, maintenance and repair of equipment. Includes information technology equipment (computers, software); educational equipment (overhead projectors, tape recorders); photocopying equipment, office equipment, etc.

APPENDIX L

COLLECTIONS AND EXPENDITURES REPORT - FISCAL YEAR 2002

<i>SPECIAL FUND</i>	<i>FY'02</i>	<i>FY'01</i>	<i>FY'00</i>	<i>FY'99</i>	<i>FY'98</i>
<u>COLLECTIONS</u>					
INTEREST	342,449	932,637	959,382	808,450	931,367
ASSESSMENT	16,031,304	14,427,829	16,363,865	16,154,391	14,143,523
LESS RET. CHECKS	(2,789)	(9,320)	0	(2,032)	0
LESS REFUNDS	(258,971)	(332,081)	(6,666)	(35,059)	(10,600)
SUB-TOTAL	15,769,544	14,086,428	16,357,199	16,117,300	14,132,923
FILING FEES	4,254,978	4,431,724	4,102,258	3,840,649	3,698,202
COLLECTION FEE	(23,705)	(18,778)	(16,073)	(20,873)	(4,429)
LESS RET. CHECKS	(2,739)	(1,027)	(2,044)	(1,486)	(2,276)
LESS REFUNDS	(7,325)	(7,368)	(9,319)	(3,784)	(4,497)
SUB-TOTAL	4,221,209	4,404,551	4,074,822	3,814,506	3,687,000
1ST REPORT FINES	333,515	378,050	378,310	321,593	284,457
LESS COLLECTION FEE	(12,460)	(13,100)	(14,550)	(14,111)	(4,231)
LESS RET. CHECKS	(1,640)	(500)	(500)	(200)	(200)
LESS REFUNDS	(700)	(200)	(1,100)	(100)	(400)
SUB-TOTAL	318,715	364,250	362,160	307,182	279,626
STOP WORK ORDERS	393,340	465,961	392,343	480,995	655,233
LESS REFUNDS	(423)	0	(1,100)	(100)	0
LESS BAD CHECKS	(5,250)	(12,208)	(18,130)	(10,233)	(59,718)
COLLECTION FEE	(25,842)	(50,639)	(52,816)	(73,031)	(73,660)
SUB-TOTAL	361,825	403,114	320,297	397,631	521,855
LATE ASSESS. FINES	28,124	36,661	24,611	40,698	42,422
SEC. 7 & 14 FINES	0		7,912	(13,600)	14,000
MISCELLANEOUS	56,120	43,472	42,526	31,765	19,876
LESS REFUND SEC.7 FINE					(3,900)
SUB-TOTAL	84,244	80,133	75,049	58,863	72,398
TOTAL COLLECTIONS	21,097,986	20,271,113	22,148,909	21,503,932	19,625,169
BALANCE BRGT FWD	10,065,860	12,725,215	11,785,359	10,915,459	11,836,705
TOTAL	31,163,846	32,996,328	33,934,268	32,419,391	31,461,874
LESS EXPENDITURES	(23,525,582)	(22,930,468)	(21,209,053)	(20,634,032)	(20,546,414)
BALANCE	7,638,264	10,065,860	12,725,215	11,785,359	10,915,460
ORACLE START-UP	2,731,097				
ORACLE SOFTWARE		408,754			
UNISYS CORP.		23,264			
ORACLE CONSULTANTS		825,000			
SUN MICROSYSTEMS		4,264			
TOTAL	2,731,097	1,261,282			
<u>REPAYMENT</u>					
SALARIES	13,644,820	13,158,744	13,003,221	12,607,469	12,461,842
FRINGE BENEFITS	2,965,931	3,798,264	3,104,485	3,016,856	3,595,185
INDIRECT COSTS	285,004	332,090	466,539	410,052	366,570
NON-PERSONNEL COSTS	3,872,690	4,348,884	4,584,213	4,599,654	4,079,325
IP INDIRECT-EX	29,528	31,204	50,595		43,492
ADJUSTMENT	(3,488)				
TOTAL REPAYMENT	20,794,485	21,669,186	21,209,053	20,634,031	20,546,414

COLLECTIONS AND EXPENDITURES REPORT - FISCAL YEAR 2002

<i>PUBLIC TRUST</i>	<i>FY'02</i>	<i>FY'01</i>	<i>FY'00</i>	<i>FY'99</i>	<i>FY'98</i>
<u>COLLECTIONS</u>					
INTEREST	5,376	21,904	3,135	6,322	
ASSESSMENTS	3,376,503	3,103,066	1,981,649	2,422,464	2,810,405
REFUNDS	(39,494)				
BD CHECKS	0	0	0	0	(12,133)
TOTAL ASSESSMENTS	3,337,009	3,103,066	1,981,649	2,422,464	2,798,272
TOTAL COLLECTIONS	3,342,385	3,124,970	1,984,784	2,428,786	2,798,272
BALANCE BRGT FWD	56,716	25,572	15,984	3,078	415,444
TOTAL	3,399,101	3,150,542	2,000,768	2,431,864	3,213,716
LESS EXPENDITURES	(3,361,156)	(3,093,826)	(1,975,196)	(2,415,880)	(3,210,638)
BALANCE	37,945	56,716	25,572	15,984	3,078
<u>EXPENDITURES</u>					
RR COLAS	3,249,773	3,023,919	1,758,754	1,986,675	2,764,902
RR SEC. 37	111,383	69,907	182,203	329,406	445,736
RR SEC. 19 COLA	0	0	34,239	99,799	
RR REHAB		0	0	0	0
SHELBY CLAIMS					
MM IME SEC 37		0	0	0	0
TOTAL EXPENDITURES	3,361,156	3,093,826	1,975,196	2,415,880	3,210,638

<i>PRIVATE TRUST</i>	<i>FY'02</i>	<i>FY'01</i>	<i>FY'00</i>	<i>FY'99</i>	<i>FY'98</i>
<u>COLLECTIONS</u>					
INTEREST	511,003	1,246,983	1,077,109	684,536	468,719
ASSESSMENTS	41,651,141	39,778,971	40,602,911	45,753,726	43,554,841
LESS RET. CHECKS	(6,533)	(60,437)	0	(99,739)	0
LESS REFUNDS	(820,175)	(994,294)	(209)	0	(13,060)
SUB-TOTAL	40,824,433	38,724,240	40,602,702	45,653,987	43,541,781
REIMBURSEMENTS	922,936	547,085	1,015,647	1,535,973	1,255,128
LESS COLLECTION FEE	(783)	(1,005)	(1,554)	(68,582)	0
RET. CHECK	(5,290)	(6,193)	(5,978)	(68,163)	(1,733)
REFUNDS	(519)	(588)	(325)	0	0
SUB-TOTAL	916,344	539,299	1,007,790	1,399,228	1,253,395
SEC. 31-J. FERNANDEZ		8,068			
SEC. 30 H	3,471	0	8,846	5,583	9,386
TOTAL COLLECTIONS	42,255,251	40,518,590	42,696,447	47,743,334	45,273,281
BALANCE BRGT FWD	23,172,956	18,724,712	18,952,485	10,405,623	7,895,008
TOTAL	65,428,207	59,243,302	61,648,932	58,148,957	53,168,289
LESS EXPENDITURES	(43,034,125)	(36,070,345)	(42,924,220)	(39,196,473)	(42,762,666)
BALANCE	22,394,082	23,172,957	18,724,712	18,952,484	10,405,623

COLLECTION AND EXPENDITURE REPORT - FISCAL YEAR 2002

<i>EXPENDITURES</i>	<i>FY'02</i>	<i>FY'01</i>	<i>FY'00</i>	<i>FY'99</i>	<i>FY'98</i>
RR SEC. 34	496,677	732,945	616,463	512,980	758,066
RR SEC. 35	291,047	297,577	391,977	499,521	652,752
RR LUMP SUM	1,462,143	699,231	585,288	605,388	711,594
RR SEC. 36	184,054	39,953	110,339	402,173	138,693
RR SEC. 31	71,502	281,105	79,231	89,077	120,908
RR SEC. 34, PERM. TOTAL	305,627	265,364	261,656	186,699	177,892
RR SEC.31-J. FERNANDEZ		8,068			
RR COLA ADJ	167,841	137,101	158,367	118,130	113,576
RR EE MEDICAL	48,593	44,634	59,453	46,298	59,556
RR EE TRAVEL	0	0	87	443	866
RR EE MISC. EXPENSE	0	0	0	235	0
RR EE BOOKS & SUPPLIES	0	0	0	0	0
RR BURIAL BENEFITS	4,000	0	0	0	0
RR VETERAN LIENS	0	0	0	0	1,000
RR LEGAL FEES	408,008	256,360	276,535	259,326	288,070
RR LEGAL EXPENSES	23,815	22,777	23,372	17,636	31,934
RR LEGAL MISC. / OTHER	6,384	2,141	2,222	2,000	8,197
RR MEDICAL EXPENSES	23,000	109	2,724	0	0
RR VOC. REHAB SERVICES	4,442	4,837	14,955	10,168	8,957
RR REHAB. SERV. TRAVEL	64	98	356	393	199
RR LABOR MARKET STUDY	7,000	11,093	12,569	8,400	19,946
RR REHAB (PRIOR YEAR)	6	2,925	1,323	0	654
RR MEDICAL	1,199,572	406,235	592,679	528,946	1,629,352
RR MEDICAL RECORDS	567	1,853	1,262	1,402	1,584
RR WELFARE LIENS	93,728	88,403	26,357	0	170,408
SUB-TOTAL RR	4,798,070	3,302,809	3,217,215	3,289,215	4,894,204
MM TUITION	1,140	0	0	335	0
SUB-TOTAL CLAIMANTS	4,799,210	3,302,809	3,217,215	3,289,550	4,894,204
<u>INSURERS</u>					
RR COLAS	15,835,070	15,325,146	11,837,661	13,875,293	18,008,554
RR SEC. 19 COLA LUMP SUM	1,203,306	1,026,126	648,587	583,460	
RR SHELBY CLAIMS	0	86,033	85,000	0	595,938
RR LATENCY SEC. 35	1,173,347	950,567	798,983	504,805	873,477
RR LEGAL FEE SEC. 35	186,357	172,111	142,010	96,598	126,800
RR LEGAL EXP. SEC. 35	1,800	860	3,933	3,483	0
RR SEC. 37	16,719,602	12,782,757	23,959,801	19,043,385	16,424,976
SUB-TOTAL INSURERS	35,119,482	30,343,600	37,475,975	34,107,024	36,029,745
TOTAL LEGAL	39,918,692	33,646,409	40,693,190	37,396,574	40,923,949
<u>OEVR</u>					
JJ IME CORP.	0	0	0	0	0
MM TUITION	15,448	7,728	7,070	1,780	3,520
RR REHAB-30H	12,989	5,528	1,143	5,089	5,514
RR TRAVEL REHAB	0	112	65	219	229
RR EE TRAVEL	2,620	810	0	3,618	262
RR EE BOOKS & SUPPLIES	1,742	354	0	931	4,727
SUB-TOTAL OEVR	32,799	14,532	8,278	11,637	14,252
TOTAL PRIVATE TRUST	43,034,125	36,070,345	42,924,220	37,408,211	42,762,666

COLLECTION AND EXPENDITURE REPORT - FISCAL YEAR 2002

<i>EXPENDITURES DEFENSE OF THE FUND</i>	FY'02	FY'01	FY'00	FY'99	FY'98
AA PERSONELL	1,405,120	1,147,577	1,058,255	1,011,619	830,029
AA OVERTIME	0	0	0	0	0
SUB-TOTAL	1,405,120	1,147,577	1,058,255	1,011,619	830,029
DD FRINGE	303,759	328,866	253,881	241,439	240,327
DD UNIVERSAL HEALTH	8,079	0	555	0	391
DD MEDICARE	293	0	15,829	0	10,553
DD UNEMPLOYMENT	1,260	2,295	2,116	2,023	2,073
DD BOND	310	62			
DD WORKERS' COMP CHRG.	19,234	1,321	6,529		
SUB-TOTAL	332,935	332,544	278,910	243,462	253,344
BB TRAVEL	7,252	9,322	10,261	10,778	10,150
BB TRAINING/TUITION	3,009	6,186	0	1,419	170
BB EMPLOYEE REIMBURS	0	156	91	116	
BB PRIDE & PERFORMANCE	0	390			
BB PETTY CASH					30
BB MANAGER TRAINING	1,000				
SUB-TOTAL	11,261	16,054	10,352	12,313	10,350
CC LAW CLERKS	0	12,128	4,440		
EE RENTAL/MV CHRG-BACK	1,703	0	231	262	271
EE ADVERTISING	0	0	0	0	0
EE BOOKS/SUPPLIES	36,887	28,971	5,069	5,885	11,457
EE IMPARTIAL APPEALS	5,600	5,950	12,650	8,550	17,300
EE CENTRAL REPRO.	222	0	0	0	0
EE OMIS CHARGEBACK	6,648	0	2,219	0	4,600
EE SEC. 37 INTEREST	0	46,344			
EE MOBILE PHONES	3,712	1,448	998	899	905
EE AT&T		5,695	0	40	71
EE TELEPHONE & FAX	4,577	0	7,269	11,701	9,134
EE POSTAGE	3,039	13,000	10,000	9,400	8,450
EE MCI TELEPHONE		1,242	1,594	1,099	
EE QUEST COMM.	810				
EE REFRESHMENTS	594				
EE ITT COMPUTER SERV.	0	0	2,225		
EE WATER	1,367				
EE INDIRECT COSTS	42,493	39,296	51,937	36,900	33,709
SUB-TOTAL	107,652	141,946	94,192	74,736	85,897
HH CONSULTANTS	798,586	400,493	475,574	130,008	151,209
SUB-TOTAL	798,586	400,493	475,574	130,008	151,209
JJ OPERATIONAL SERV.	87,584	106,575	106,069	100,972	295,302
SUB-TOTAL	87,584	106,575	106,069	100,972	295,302
GG BOSTON LEASE	293,687	146,846	146,846	146,846	146,846
GG ELECTRICITY	5,432	3,300	1,675	1,915	6,460
SUB-TOTAL	299,119	150,146	148,521	148,761	153,306
KK EQUIPMENT	3,036	63,010	7,681	31,288	0
SUB-TOTAL	3,036	63,010	7,681	31,288	0

(CONTINUED ON NEXT PAGE)

COLLECTIONS AND EXPENDITURES REPORT - FISCAL YEAR 2002

<i>EXPENDITURES DEFENSE OF THE FUND</i>	<i>FY'02</i>	<i>FY'01</i>	<i>FY'00</i>	<i>FY'99</i>	<i>FY'98</i>
LL PRAXIS	0	0	8,116	10,757	6,300
LL PAGE NETWORK	0	52	13	26	
LL XEROX	4,524	4,448	0	6,739	6,627
LL MOBIL COMM					36
LL ORACLE	0	0	5,063		11,220
LL SIMPLEX	0	0	0	0	102
LL FAIRCHILD	2,870	2,929	1,311	1,217	1,517
LL PITNEY BOWES	912	681			
LL IKON	778	976			
LL SUN	6,853	7,829			
LL RETROFIT	4,037	5,652			
LL PYRAMID	16,164	16,164	16,564	16,164	2,702
LL CONGRESS ALARM	140				
LL RICOH	63				
SUB-TOTAL	36,341	38,731	31,067	34,903	28,504
RR PENALTIES SEC. 8	1,000	200	0	200	16,524
SUB-TOTAL	1,000				
TT			7,859		
SUB-TOTAL			7,859		
TOTAL DEFENSE OF FUND	3,082,634	2,409,404	2,222,752	1,788,262	1,824,465
TOTAL EXPENDITURES	46,116,759	38,479,749	45,146,972	39,196,473	44,587,131